

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

**In re: PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESALE PRICE LITIGATION**

)
) **MDL No. 1456**
) **Master File No. 01- 12257-PBS**
) **Subcategory Case No. 06-11337**
) **Hon. Patti B. Saris**

THIS DOCUMENT RELATES TO:

*United States of America ex rel. Ven-A-Care of the
Florida Keys, Inc., et al. v. Dey, Inc., et al.,*
Civil Action No. 05-11084-PBS

)
) **Magistrate Judge**
) **Marianne B. Bowler**
)
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**DECLARATION OF SARAH L. REID IN SUPPORT OF
DEY DEFENDANTS' RESPONSE TO PLAINTIFFS'
MOTION CONCERNING THE USE OF DEPOSITIONS**

SARAH L. REID declares, pursuant to 28 U.S.C. § 1746, that:

1. I am a member of the law firm of Kelley Drye & Warren LLP, counsel to Dey Pharma, L.P. (formerly known as Dey, L.P.), Dey, Inc., and Dey L.P., Inc. (collectively "Dey"). I am admitted to practice law in the State of New York and have been admitted *pro hac vice* in this action.

2. I make this Declaration in support of Dey's Response to the Plaintiffs' Motion Concerning the Use of Depositions.

3. The basis for my knowledge is my review of the files maintained by Kelley Drye & Warren LLP as part of its representation of Dey, including the documents attached hereto, and my own personal knowledge of the facts and circumstances set forth herein.

4. Attached hereto as Exhibit 1 is a true and correct copy of excerpts of the transcript of the deposition of Howard Bryan Tomlinson, II, taken on November 3, 2008.

5. Attached hereto as Exhibit 2 is a true and correct copy of excerpts of the transcript of the deposition of Robert Paul Reid, taken on December 15, 2008.

6. Attached hereto as Exhibit 3 is a true and correct copy of excerpts of the transcript of the deposition of Lise C. Farrand, taken on October 28, 2008.

7. Attached hereto as Exhibit 4 is a true and correct copy of excerpts of the transcript of the deposition of Jesse Anderson, taken on December 16, 2008.

8. Attached hereto as Exhibit 5 is a true and correct copy of excerpts of the transcript of the deposition of James Parker, taken November 18, 2008.

9. Attached hereto as Exhibit 6 is a true and correct copy of excerpts of the transcript of the deposition of Brendan Joyce, taken on December 12, 2008.

10. Attached hereto as Exhibit 7 is a true and correct copy of excerpts of the transcript of the deposition of Mark-Richard Butt, taken on January 26, 2010.

11. Attached hereto as Exhibit 8 is a true and correct copy of a letter from Herb B. Kuhn, Deputy Administrator, Centers for Medicare & Medicaid Services, to all State Health Officials (SHO #08-004), dated October 28, 2008.

I declare under the penalty of perjury that the foregoing is true and correct.

Executed on March 10, 2010.

/s/Sarah L. Reid
Sarah L. Reid

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing was delivered to all counsel of record by electronic service pursuant to Paragraph 11 of Case Management Order No. 2, by sending on March 10, 2010, a copy to LexisNexis File & Serve for posting and notification to all parties.

/s/Sarah L. Reid

Sarah L. Reid